

United States Court of Appeals, District of Columbia Circuit

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Lucy Ying Qing Lu, et al)	
Appellant)	Civil Action: 15-7028
v.)	(Trial Court No. 11-1815)
Mark L. Lezell, et al)	
Appellees)	
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Appellants' Transcript Status Report

Appellants, by and through their undersigned counsel, hereby respectfully report to this Honorable Court about transcript status as follows:

1. This undersigned placed an order for the transcript for the jury trial dated March 2, and March 3, 2015 with Ms. Cathryn Jones, the Court Reporter, on April 12, 2015 and he was notified that Transcripts had been provided, and costs for these transcript has been paid on this 16th day of April, 2015;
2. This undersigned placed an order for the transcript for the jury trial dated March 4, 2015 with Ms. Lisa Griffith, the Court Reporter, on April 12, 2015 and he was notified that Transcripts had been provided, and costs for these transcript has been paid, on this 16th day of April, 2015.

Appellants will not seek for including any other transcripts of pretrial hearings in their Join Appendix in support of the Opening Brief.

Respectfully submitted by,

/s/Ning Ye, Esq.
Counsel for Appellants

United States Court of Appeals, District of Columbia Circuit

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_____)	

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Appellants hereby respectfully provide the following information pursuant to the Court's order of March 26, 2015, and pursuant to D.C. Circuit Rule 28(a)(1).

A. Parties:

- a. Appellants Lucy Ying Qing Lu, Afshin Afsharnia, and Oklahoma Shelf Exploration and Development LLC. (OSED); Case #11-1815, U.S. District Court for the District of Columbia; Filed: 10/13/2011;
- b. Appellee: Mark L. Lezell

B. Rulings Under Review: Appellant seeks review of Ying Qing Lu, et al v. Mark L. Lezell, et al No. 11-cv-1815 (D.D.C. Mar. 6, 2015).

C. Related Cases: There is no related case.

Respectfully submitted,

/s/Ning Ye, Esq.
Counsel for Appellants

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UNDERLYING DECISION FROM WHICH APPEAL OR PETITION ARISES

Attached hereto as Exhibit A is evidence of the underlying Judgment on the Verdict for the Defendant. This Judgment became final on or about March 6, 2015.

Respectfully submitted,

/s/Ning Ye, Esq.
Counsel for Appellants

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_____)

STATEMENT OF INTENT TO UTILIZE DEFERRED JOINT APPENDIX

Pursuant to Fed. R. App. P. 30(c), this Court's Local Rule 30(c), and the Clerk's Order of March 26, 2015, Appellants Lucy Ying Qing Lu, et al, hereby respectfully states that they will not seek for utilizing deferred Joint Appendix. Appellants will submit their Joint Appendix together with their Opening Brief on the date being set forth by the Honorable Clerk in the Court issued Scheduling Order. Appellants do not seek for expedite proceedings and there is no specific reason for Appellants to seek for expedite calendar regarding the deadline for the Opening Brief and Joint Appendix. Regular calendar will be good and sufficient for this instant appeal.

Respectfully submitted,

/s/Ning Ye, Esq.
Counsel for Appellants

United States Court of Appeals, District of Columbia Circuit

Lucy Ying Qing Lu, et al

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STATEMENT OF ISSUES TO BE RAISED

Pursuant to the Court's April 19, 2013 Order, F.R.A.P. 26.1, and D.C. Cir. Rules 27(a)(4) and 28(a)(1)(A), Appellants hereby respectfully state that the following issues, if not more, will likely be raised in their Opening Brief:

- a. Whether the District Court was erred in phrasing and rephrasing the jury instruction in such a subtly ultra-brief, selective way in excluding the participation of drafting by trial attorneys, by deviating the "Pattern Jury Instruction" and his own interlocutory ruling and reasoning, in such a sophisticated RICO case in apparently bias for the Defendant?
- b. Whether the District Court was erred by manipulating the jury proceedings by coercively "discharging" a key juror with no fault, no reason, from 8-juror panel, after 3-full day jury trial, minutes before jury deliberation, given to the fact leaving a practicing attorney in the remaining 7-juror panel?
- c. Whether the District Court has abused its discretion by ordering to bar the Plaintiff's Evidence Trial Exhibit No. 9 and No. 13, particularly in favor of the plaintiffs' evidence, while being specifically demanded by Jury in the intermission of deliberation?
- d. Whether the District Court has abused its discretion by ordering to bar the Plaintiff's Evidence Trial Exhibit No. 9 and No. 13, particularly in favor of the plaintiffs' evidence, while being specifically demanded by Jury in the intermission of deliberation?
- e. Whether the District Court has abused its discretion by ordering to strike certain vital and critical trial exhibits knowing the trial attorney for the Plaintiffs took the case in a rush when the original counsel left the case all of sudden while leaving no single page of the case material to his successor?

Respectfully submitted,

/s/Ning Ye, Esq.

Counsel for Appellants

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Appellants' Motion for Oral Argument (Procedural Motion)

Pursuant to Rule 34, Fed. R. App. P. , and pursuant to the Clerk's Order of March 26, 2015, Appellants Lucy Ying Qing Lu, et al, hereby respectfully pray that the Honorable Clerk schedule an oral argument session after all parties submit Briefs (Opening, Opposing, and Reply) due to the fact that this Appeal involves extremely sophisticated issues in relation to irregularity in jury trial manipulation and the underlying complicated matter of civil RICO case having triggered extensive harms against large number of victims in many States, believingly under U.S. Government on-going criminal investigation.

Respectfully submitted,

/s/Ning Ye, Esq.
Counsel for Appellants

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Appellants' Notice of Submission Entry of Appearance Form and Docketing Statement Forms

Pursuant to Fed. R. App. P and the Clerk's Order of March 26, 2015, Appellants Lucy Ying Qing Lu, et al, hereby respectfully notify this Honorable Court that they hereby humbly submit the following as Exhibits #2 and #3, attached to this Notice:

- a. Entry of Appearance Form (Exhibit B);
- b. Docketing Statement Forms (Exhibit C).

Respectfully submitted,

/s/Ning Ye, Esq.
Counsel for Appellants

Certificate of Service

Counsel for the Appellants hereby certifies that a copy of the above submission covering all enumerated items, except the item of “Dispositive Motions”, including all the Completed Forms and Exhibits, following the Hon. Court’s 03/26/2015 Order, as an consolidated submissions, have been forwarded to Appellee Mark L. Lezell through his counsel Peter Goldman, Esq. via this Honorable Court’s ECF Broadcasting system on this 16th Day of April, 2015.

/s/Ning Ye, Esq.